



**Department of Energy**  
Western Area Power Administration  
P.O. Box 281213  
Lakewood, CO 80228-8213

June 17, 2005

Honorable Magalie Roman Salas  
Office of the Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Room 1A, East  
Washington, DC 20426

Re: Western Area Power Administration,  
FERC Docket No. NJ05-1-000

Dear Secretary Salas:

Enclosed for filing with the Federal Energy Regulatory Commission is an electronic filing of the attached document entitled "Western Area Power Administration's Motion for Leave to Answer and Answer to the Late Motion to Intervene and Protest of Calpine Corporation".

If you have any questions about this filing, please contact me at (720) 962-7021 or [klinefel@wapa.gov](mailto:klinefel@wapa.gov).

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, reading "Ronald J. Klinefelter", is positioned above the typed name.

Ronald J. Klinefelter  
Attorney  
Office of General Counsel

Enclosure

**IN THE UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

United States Department of Energy )  
Western Area Power Administration ) Docket No. NJ05-1-000

**WESTERN AREA POWER ADMINISTRATION'S MOTION FOR  
LEAVE TO ANSWER AND ANSWER TO THE LATE MOTION TO  
INTERVENE AND PROTEST OF CALPINE CORPORATION**

**I. Motion for Leave to Answer**

The Western Area Power Administration (Western), a Federal Power Marketing Administration of the United States Department of Energy, hereby moves for leave to answer Calpine Corporation's (Calpine) Motion for Leave to Intervene Out-Of-Time and Protest. Through this motion, Western requests a waiver of Rule 213 of the Rules and Regulations as permitted pursuant to Rule 101 of the Federal Energy Regulatory Commission's (Commission) Rules and Regulations, 18 C.F.R. §§ 385.213 and 385.101.

On June 3, 2005 Calpine filed a Motion for Leave to Intervene Out-Of-Time and Protest in this proceeding. Good cause exists for waiver of Rule 213. Calpine has given no adequate explanation why it has filed its motion almost

four months beyond the comment date established by the Commission. Further, Calpine has made misstatements of fact in this proceeding that must be clarified so the Commission has an accurate record to review. The Commission has found good cause for waiving Rule 213 in similar circumstances. Southwest Power Pool, Inc., 109 FERC ¶ 61,009 (2004), Great Lakes Transmission Limited Partnership, 80 FERC ¶ 61,105 (1997).

For these reasons, Western requests the Commission grant this motion requesting a waiver of Rule 213, and accept for filing Western's Answer to Calpine's Motion for Leave to Intervene Out-Of-Time and Protest.

## **II. Calpine's Motion Is Extremely Untimely**

Calpine has filed its Motion for Leave to Intervene Out-Of-Time and Protest (Late Motion) almost four months beyond the date established by the Commission for Interventions and Protests. In support of its request, Calpine simply states that it only recently became aware of changes to Western's Open Access Transmission Tariff (OATT). In addition to the Commission's Notice of Filing dated January 31, 2005, Western provided numerous forms of

notice to all of its customers, including Calpine, of Western's intention to revise the OATT.

Western published a notice in the Federal Register on October 22, 2004 announcing its OATT revision process and provided the general public with notice of a public meeting soliciting comments. 69 Fed. Reg. 62,041 (October 22, 2004). Western also provided actual notice to Calpine of both the comment process as well as the actual filing with the Commission. Western notified Calpine three times of its comment process alone. The first notice was a postcard Western sent on October 22, 2004 notifying Calpine and all interested parties that Western was revising its OATT. The second occurred when Western sent an email to a Calpine representative on November 12, 2004, and the third occasion was through a letter on the same date. All of this correspondence informed Calpine of the availability of a proposed revised OATT and an opportunity to comment.

Upon filing the revisions to its OATT, Western provided Calpine with two different notices of this filing. First, Western's Desert Southwest Region sent a letter to Calpine and all interested parties in the first week of February indicating Western had filed a revised OATT with the Commission. Second, Western's Sierra Nevada Region

sent a letter and included a copy of its revised OATT to Calpine on April 7, 2005. Copies of the notices on the informal comment process as well as the formal filing are included as Attachment A.

Calpine has provided no support for its claim that it only recently became aware of the contents of Western's filing. Nor has Calpine sufficiently demonstrated why it should be allowed to protest Western's filing at this late date. Simply failing to read the information it was provided or to become engaged in Western's process for over eight months, despite adequate and timely notice, does not support a granting of its Late Motion.

For Calpine to state that it only recently became aware of Western's OATT revision process is disingenuous. As demonstrated above, Calpine was provided both constructive notice through publication in the Federal Register as well as actual notice on multiple occasions. Western notified Calpine above and beyond the notice normally provided to parties in Commission proceedings. To allow Calpine to protest Western's filing after this extended delay because it only recently became aware of Western's revisions, discounts Western's process and the Commission's regulations. Decision-making needs to occur

in a timely manner. This enables all parties to have some certainty and expectation that all parties will adhere to the same rules. Therefore, Calpine's Motion for Leave to Intervene and Protest should be denied or in the alternative it should be granted party status but its protest should be denied for raising substantive issues well outside the time period Western could have reasonably been expected to address them.

### **III. Western's OATT Change Incorporates Pro Forma Language and is Comparable**

Calpine's Late Motion asserts that Western must retain the termination language previously found in Attachment J, section 1.0 of Western's OATT, which was language Western added beyond what was necessary in the Commission's Order 888 pro forma tariff. Western's elimination of this language reflects the original pro forma language and will not impact Western's commitment to treat all parties comparably.

A. Calpine's Protest Would Require Western to Offer Terms and Conditions Beyond Pro Forma Tariff Requirements.

At the time Western filed its original OATT, it had not developed separate rates for transmission and ancillary services. At that time, Western took a conservative approach and incorporated many of its historical contract provisions it thought might be applicable for providing service under the OATT. The Change of Rates language in Attachment J, section 1.0 was one of these provisions.

Since the time of its original filing, Western has developed formula transmission rates and has decided to remove language from Attachment J, section 1.0. The language that has been removed from Attachment J in the revised OATT clarifies that Western does not consider an annual update of its formula rate a change of rates that could trigger a transmission customer's right to terminate service under the previous Attachment J, section 1.0 language.

Western is only required to demonstrate that a change is equal to or superior to the pro forma tariff if a change

deviates from the pro forma tariff. Missouri Basin Municipal Power Agency and United States Department of Energy - Western Area Power Administration, 99 FERC ¶61,062, 61,296 (2002). Western's change in Attachment J, section 1.0 removes a term from Western's OATT that was beyond the requirements of the Commission's pro forma tariff. Western should not be held to a different standard merely because it included language that was different than the pro forma provisions in its initial OATT.

Finally, Western believes that removing the language from Attachment J, section 1.0 does benefit transmission customers as a whole. By providing certainty that an individual transmission customer will not be able to terminate service early, the remaining transmission customers will have rate certainty through inclusion of this revenue in the transmission rate calculation.

Calpine argues with Western's position by stating that Western has never offered to construct facilities at its cost to provide transmission service to Calpine. The payment of construction costs necessary for new transmission facilities is a very fact specific endeavor. However, while Calpine may have been directly assigned payment for costs attributable to its transmission service



requests, Western has certainly made transmission system improvements that were not directly assigned. The costs of these additions necessary to provide transmission service are included in Western's revenue requirement and paid by all transmission customers. Should a customer request early termination under the prior language in Attachment J, section 1.0, the remaining transmission customers would be responsible for paying a greater share of the costs associated with those facilities.

B. Calpine Is Protected By Commission Review Of Western's Rates In Accordance With Federal law

As noted by Calpine, Western is not subject to the Commission's just and reasonable ratemaking requirements under section 205 of the Federal Power Act, 16 U.S.C. § 824d. However, Western does submit its rates for review and approval by the Commission consistent with existing statute, regulation, and Department of Energy policy.

Calpine receives a "guarantee" it is receiving just and reasonable rates when taking service from public utilities. When Calpine purchases transmission service from Western, it receives service at rates that are the lowest possible consistent with sound business principles

and existing Federal law. Calpine receives all the rate protection it is entitled to in accordance with this standard under existing Federal law. This protection exists irrespective of the term included in Western's original OATT under Attachment J, section 1.0. Removal of this language does not eliminate Calpine's ability to protect itself against excessive rates.

To meet its statutory obligation and provide rates that are the lowest possible consistent with sound business principles, Western develops its rates pursuant to the Department of Energy Organization Act, 42 U.S.C. § 7101, the Reclamation Act of 1902, 43 U.S.C. § 371, the Flood Control Act of 1944, 16 U.C.C. § 825(s), and Acts amendatory or supplementary thereof, as well as the regulations found at 10 C.F.R. Part 903 and Department of Energy Delegation Order No. 00-037.00.

In fact, Calpine is afforded greater opportunity for notice and comment in Western's rate making process than that afforded to them under a public utilities process pursuant to section 205 of the Federal Power Act, 16 U.S.C. § 824d(d). The process Western's Administrator follows to develop its transmission rates is defined in 10 C.F.R. Part 903. Western holds informal information meetings, formal

information forums, and formal comment forums before it files rates with the Commission. Once it files rates with the Commission, interested parties are provided an additional opportunity to intervene and protest the rate filing. Calpine can engage in any of these steps to have a say in the rates Western charges for transmission service.

C. Western's Revised OATT Is Comparable and Non-discriminatory

Calpine alleges that Western's revised OATT is not comparable and is discriminatory because Western has retained language in Attachment A, section 14.0<sup>1</sup> while making a clarification in Attachment J, section 1.0. While each section does address termination, they do not provide equivalent rights. To argue that eliminating language in Attachment J, section 1.0 and retaining the remaining language renders Western's OATT discriminatory ignores the language and intent behind the language used in Attachment A, section 14.0.

---

<sup>1</sup> The identical Independent System Operator language is also included in Attachment B, section 13.0 and Attachment F, section 11.0. For purposes of completeness, all discussion of Attachment A, section 14.0 should also apply to these sections.

Attachment A, section 14.0 is titled "Independent System Operator." This language was approved by the Commission with Western's initial OATT filing. Missouri Basin Municipal Power Agency and United States Department of Energy - Western Area Power Administration, 99 FERC ¶61,062 (2002). The purpose of this provision is to allow Western to efficiently transfer its obligations to provide OATT transmission service to an independent system operator, if Western were to join such an entity during the term of a service agreement. The language does not allow Western to relieve itself of an obligation to provide service because the costs of doing so increase, which is what the language in Attachment J, section 1.0 could allow a transmission customer to do.

The provision does not allow Western to alter its obligations under the OATT *unless* it joins an ISO. Retaining the previous Attachment A, section 14.0 language is not warranted simply because Calpine believes it should have the right to terminate service when Western incorporates new yearly costs in its Commission approved formula rate. Should Western join an independent system operator and believe it is necessary to use the language in Attachment A, section 14.0, Western would treat its

merchant's use of transmission under the OATT in a similar and comparable manner.

#### IV. CONCLUSION

Western respectfully requests that the Commission grant its Motion for Leave to file this answer and further that it deny Calpine's Late Motion to Intervene and/or its Protest for the reasons stated herein, or in the alternative rule that removal of language in Attachment A, section 14.0 is not discriminatory and that Western's revised OATT is an acceptable reciprocity tariff.

Dated this 17th day of June, 2005.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ronald J. Klinefelter", is written over the typed name.

Ronald J. Klinefelter  
Office of General Counsel  
Western Area Power Administration  
(720) 962-7010 (voice)  
(720) 962-7009 (fax)  
[klinefel@wapa.gov](mailto:klinefel@wapa.gov)

## **CERTIFICATE OF SERVICE**

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Lakewood, Colorado, this 17th day of June, 2005.

By:

A handwritten signature in cursive script, appearing to read "Rosemarie Rodriguez", is written over a horizontal line.

Rosemarie Rodriguez  
Office of General Counsel  
Western Area Power Administration  
P.O. Box 281213  
Lakewood, CO 80228-8213  
(720) 962-7010 (voice)  
(720) 962-7009 (fax)

# ATTACHMENT A

## Western to update its Open Access Transmission Service Tariff

Western Area Power Administration is revising its Open Access Transmission Service Tariff to update certain provisions, adopt the principal features of FERC's Standard Large Generator Interconnection Procedures and Agreement and to make additional changes to further Western's mission and transmission marketing efforts.

We will hold an informal public meeting on Nov. 8 at 1 p.m., at the Radisson Denver Stapleton Plaza Hotel, 3333 Quebec Street, Denver, Colo., to explain the revisions we intend to adopt to our existing OATT. You can provide comments at that meeting or in writing as described in a *Federal Register* notice—expected to be published the week of Oct. 18—that announces an informal comment opportunity until Nov. 22. Comments will also be accepted via our Web site at <http://www.wapa.gov/oatt.htm> or an e-mail box called [tariffcomments@wapa.gov](mailto:tariffcomments@wapa.gov). Western intends to consider comments before filing our revised tariff at FERC, and will post our responses to comments on this Web site.

For more information, contact Darrick Moe, Tariff Project Manager, at 605-882-7501 or Carolyn Hinkley, Corporate Communications, at 720-962-7053.





MR. BILL CARLISLE  
GENERAL MANAGER  
SOUTHERN SAN JOAQUIN MUNICIPAL UTILITY  
DISTRICT  
P O BOX 279  
DELANO, CA 93216

MR. DAVID ANSOLABEHERE  
MANAGER  
CAWELO WATER DISTRICT  
17207 INDUSTRIAL FARM ROAD  
BAKERSFIELD, CA 93308-9801

MR. DAVID CONE  
MANAGER  
BROADVIEW WATER DISTRICT  
P O BOX 95  
FIREBAUGH, CA 93622

MR. RUSS FREEMAN, P.E.  
SUPERVISOR OF RESOURCES MANAGEMENT  
WESTLANDS WATER DISTRICT  
P O BOX 6056  
FRESNO, CA 93703-6056

MS. MARLIA JUROSEK  
CITY AND COUNTY OF SAN FRANCISCO  
HETCH HETCHY WATER AND POWER  
1155 MARKET ST.  
SAN FRANCISCO, CA 94103

MR. GREG LOEW  
DEPUTY DIRECTOR, MS-75  
STANFORD LINEAR ACCELERATOR CENTER  
U.S. DEPARTMENT OF ENERGY  
P O BOX 20450  
STANFORD, CA 94309-0075

MR. RICK GILMORE  
GENERAL MANAGER  
BYRON-BETHANY IRRIGATION DISTRICT  
3944 MAIN ST  
BYRON, CA 94514-0160

MR. WILLIS A. CASEY  
CITY MANAGER/EXECUTIVE DIRECTOR  
PITTSBURG POWER CO.  
65 CIVIC AVE  
PITTSBURG, CA 94565

DR. DON GABB  
SENIOR CIVIL ENGINEER  
EAST BAY MUNICIPAL UTILITY DISTRICT  
2020 WAKE AVE.  
P O BOX 24055  
OAKLAND, CA 94607-1055

MR. MAHESH GUPTA  
ELECTRICAL SECTION CHIEF  
U.S. DEPT. OF ENERGY, LAWRENCE BERKELEY  
NATIONAL LABORATORY  
1 CYCLOTRON RD., BLDG 90G  
BERKELEY, CA 94720

MR. SEAN P. GIEVET  
MANAGER  
TERRA BELLA IRRIGATION DISTRICT  
24790 AVENUE 95  
TERRA BELLA, CA 93270

MR. RODNEY RAY  
ELECTRIC UTILITY MANAGER  
CITY OF LOMPOC  
P.O. BOX 8001  
LOMPOC, CA 93438-8001

MR. DAVID COXEY  
GENERAL MANAGER  
SAN LUIS WATER DISTRICT  
P.O. BOX 2135  
LOS BANOS, CA 93635-2135

MR. STEVE FRANKEL  
ENERGY CONSERVATION COORDINATOR  
NASA AMES RESEARCH CENTER,  
MOFFETT FEDERAL AIRFIELD  
MS 19-11  
MOFFETT FIELD, CA 94035-1000

MR. JAMES K. RANDOLPH  
SR. VICE PRESIDENT & CHIEF OF UTILITY  
OPERATIONS  
PACIFIC GAS AND ELECTRIC COMPANY  
77 BEALE, MAIL CODE B32  
P.O. BOX 770000  
SAN FRANCISCO, CA 94177

MS. VALERIE FONG  
GENERAL MANAGER  
ALAMEDA POWER & TELECOM  
2000 GRAND ST.  
ALAMEDA, CA 94501-1228

MR. WALTER J. BISHOP  
GENERAL MANAGER  
CONTRA COSTA WATER DISTRICT  
P O. BOX H20  
CONCORD, CA 94524

MS. MICHELE A. BLANCO P.E.  
COMMERCIAL MANAGER  
CALPINE POWER COMPANY  
4160 DUBLIN BLVD  
DUBLIN, CA 94568-3139

MS. ALIZA GALLO  
EXECUTIVE DIRECTOR  
OAKLAND BASE REUSE AUTHORITY  
700 MURMANSK ST., SUITE 3  
OAKLAND, CA 94607-2936

MR. MARK R. CLARK  
ELECTRICAL POWER SERVICES MANAGER  
U.S. DOE, NATIONAL NUCLEAR SECURITY ADM  
SVC CENTER  
1 CYCLOTRON RD  
BURKLEY, CA 94720

MR. DANIEL G. VINK  
GENERAL MANAGER  
LOWER TULE RIVER IRRIGATION DISTRICT  
357 E OLIVE AVENUE  
TIPTON, CA 93272

MR. MICHAEL KEELING  
CONTRACT ADMINISTRATOR  
U.S. DAF EAFB  
AFFTC/PKO  
5 S. WOLFE AVE.  
EDWARDS AFB, CA 93524-6351

MR. JOHN A. MALLYON  
MANAGER  
JAMES IRRIGATION DISTRICT  
P O BOX 757  
SAN JOAQUIN, CA 93660-0757

MR. GEORGE SUTTON  
ELECTRIC POWER OFFICE MANAGER  
NASA-AMES RESEARCH CENTER  
MS 213-8  
MOFFETT FIELD, CA 94035-1000

MR. JOHN ULRICH  
DIRECTOR OF UTILITIES  
CITY OF PALO ALTO  
P.O. BOX 10250  
PALO ALTO, CA 94303

MR. LARRY PRESTON  
GENERAL MANAGER  
EAST CONTRA COSTA IRRIGATION DISTRICT  
626 FIRST ST.  
BRENTWOOD, CA 94513-1323

MR. MEREDITH ERICKSON  
ELECTRIC UTILITIES GROUP LEADER  
U.S. DEPT OF ENERGY, LAWRENCE LIVERMORE  
NATIONAL LABORATORY  
P.O. BOX 808  
LIVERMORE, CA 94551

MR. RUSSELL KLEIN  
SENIOR ENERGY ANALYST  
BAY AREA RAPID TRANSIT DISTRICT  
800 MADISON ST., MSQ3  
OAKLAND, CA 94604-2688

MR. THOMAS D. CLARK  
ASSISTANT PORT ATTORNEY  
PORT OF OAKLAND  
530 WATER ST  
OAKLAND, CA 94607-3524

MR. ERIC HAEMER  
ASSOCIATE DIRECTOR, UTILITIES, MC #1384  
UNIVERSITY OF CALIFORNIA, BERKELEY  
2000 CARLETON STREET  
BERKELEY, CA 94720-1384

**From:** John Delgado  
**To:** @anaheim.net; @ladwp.com; @mwd.dst.ca.us; @ntua.com; @ocotilogolf.com; @pac.state.ca.us; @tontoapache.com; @ypit.com; abadag@efdswnavfac.navy.mil; afinley@mwdh2o.com; akafarm@ctaz.com; akbopd5@aol.com; bbalzar@nevpa.com; bcampbell@ci.burbank.ca.us; bcarnahan@scppa.org; bcyr@ahamacav.com; bjohnson@lc.usbr.gov; brapp@iidpower.com; btang@ci.azusa.ca.us; charles.wiese@hq.toua.net; chcid@qwest.net; chuber@ssvec.com; CMID12253@comcast.net; Cobpw@earthlink.net; creda@qwest.net; cslocum@wellton-mohawk.org; dallan@ftmcdowell.org; dave.castillo@itcaonline.com; dave.plumb@cityofmesa.org; dbowers@duke-energy.com; dfarmer@pnm.com; dkinball@aepnet.org; dmason@scidd.com; dodsonmr@efdswnavfac.navy.mil; doi@pascuayaquitrbe.org; donpope@ycwua.org; downingjd@aol.com; dstephens@duke-energy.com; dwiggs@ladwp.com; eklinkner@cityofpasadena.net; eua@ak-chin.nsn.us; fales@ci.phoenixaz.us; feus1@cyberport.com; fmbarbera@iid.com; frank.mcrae@cityofmesa.org; fredoniatown@yahoo.com; gcaan@crc.nv.gov; gene.andreas@srpmic.nsn.gov; Gil.Tam@SCE.com; glangford@wellton-mohawk.org; gporter@sppc.com; grant@msidd.com; hermanTJlaffoon@yahoo.com; Hnguye@ladwp.com; hohokam@c2i2.com; jack.nixon@yuma.army.mil; jbrhodes@ymidd.org; jcsandoval@iid.com; jerryr@pascuayaquitrbe.org; jhsu@ci.azusa.ca.us; jims@mwdaz.com; jjw@krsaline.com; jlambeck@mwd.dst.ca.us; jlambeck@mwdh2o.com; jmeck@bwccd.com; jmstebbins@duke-energy.com; joe@powerauthority.org; john.li@luke.af.mil; jolko@ci.colton.ca.us; jstonehocker@apfc.com; kaifarms@earthlink.net; kbaughman@wellton-mohawk.org; kdmecham@gilaresources.com; krs@krsaline.com; lcpdno1@pioche.igate.com; lgard4@aol.com; lgold@lsgrrc.com; lhuff@swtransco.coop; louh@valleyelectric.org; manager@gilnet.net; mblanco@calpine.com; melanie.ricker@edwards.af.mil; mhzeibak@pplmt.com; mpmichael@ieee.org; mrandall@daystar-consulting.com; mschwartz@aepco.coop; mshiel@rothsteinlaw.com; mshort@navopache.org(...)

**Date:** 11/12/2004 1:51:44 PM

**Subject:** Western Open Access Transmission Service Tariff (OATT) - Revision Effort

Desert Southwest Region Customers:

Please find attached a letter in pdf format advising you of the opportunity to comment on Western's effort to revise its OATT to include the Federal Energy Regulatory Commission's (FERC) Standard Large Generation Interconnection Procedures and Agreement, and to update the existing Tariff.

An informal public meeting was held in Denver, Colorado, on November 8, at the Radisson Stapleton Plaza, to explain the revisions Western intends to adopt in its existing Tariff and receive any written comments on this process.

The Federal Register Notice published on Friday, October 22, described the process Western is pursuing with regard to making these changes. Interested parties have until November 22, 2004, to comment on this process.

Western will receive comments on its Web site at <http://www.wapa.gov/oatt.htm> or at an email box called [tariffcomments@wapa.gov](mailto:tariffcomments@wapa.gov). Western intends to consider comments before filing its revised tariff at FERC, and will post its responses to comments received on its Web site.

Sincerely,  
John Delgado  
DSW Lead  
Western OATT Revision Team  
Email: [delgado@wapa.gov](mailto:delgado@wapa.gov)  
Phone: (602) 352-2660  
Fax: (602) 352-2481



**Department of Energy**  
Western Area Power Administration  
Desert Southwest Customer Service Region  
P.O. Box 6457  
Phoenix, AZ 85005-6457

NOV 12 2004


Dear [DSW Customer]:

Western Area Power Administration is revising its Open Access Transmission Service Tariff (OATT or Tariff) to update certain provisions, adopt the principal features of FERC's Standard Large Generator Interconnection Procedures and Agreement, and to make additional changes to further Western's mission and transmission marketing efforts. As part of this process, Western held an informal public meeting on November 8, at the Radisson Stapleton Plaza hotel, 3333 Quebec Street, Denver, Colorado, to explain the revisions Western intends to adopt in its existing Tariff.

This is written to advise you of the opportunity to provide comments with regard to the proposed revisions as described in a Federal Register Notice, published on Friday, October 22. That Notice announced an informal comment opportunity until November 22. Comments will be accepted via our Web site at <http://www.wapa.gov/oatt.htm> or an e-mail box called [tariffcomments@wapa.gov](mailto:tariffcomments@wapa.gov). Western intends to consider comments before filing its revised tariff at FERC, and will post responses to comments received on this Web site.

For more information, contact John Delgado, Lead Transmission Business Unit, at 602-352-2260 or Ron Moulton, Regulatory & Restructuring Manager, Acting Transmission Planning Manager, at 602-352-2668.

Sincerely,

  
John Delgado, DSW Lead  
Western OATT Revision Team



**Department of Energy**  
Western Area Power Administration  
Desert Southwest Customer Service Region  
P.O. Box 6457  
Phoenix, AZ 85005-6457

Dear Transmission Customers and Interested Parties:

This is written to provide notice that, on January 25, 2005, Western Area Power Administration filed a revised Open Access Transmission Service Tariff (OATT) with the Federal Energy Regulatory Commission (FERC). This filing incorporates the Standard Large Generator Interconnection (LGI) Provisions and Agreement (LGIP and LGIA) into Western's Tariff in compliance with FERC LGI Orders, and updates certain provisions and makes additional changes to further Western's mission and transmission marketing efforts. An **effective date of February 25, 2005**, was requested in the filing.

The LGIP and LGIA documents introduce a number of changes to the current procedures for doing business. An example is the requirement to submit deposits with generator interconnection requests, pursuant to Section 3.3 of the LGIP. Other modifications made to Western's OATT include: increasing the transmission service request application fee to \$3,500 throughout Western, to reflect actual costs, and instituting the requirement for deposits in Sections 17.3 and 29.2 of the OATT, with requests for service with a term of one year or longer.

We will be working with those entities that have prospective large generation projects in process to convert their requests to comply with the LGI provisions. Detailed information regarding Western's filing with FERC can be found at: <http://www.wapa.gov/oatt.htm>. If you have any questions or concerns, please contact: Nancy Whitson, (602) 605-2667, [Nwhitson@wapa.gov](mailto:Nwhitson@wapa.gov); Paul Dux, (602) 605-2784, [Pdux@wpapa.gov](mailto:Pdux@wpapa.gov); or, John Delgado, (602) 605-2660, [delgado@wapa.gov](mailto:delgado@wapa.gov).

Sincerely,

John Delgado  
Transmission Business Unit, Lead

Mr. Ronald C. Smith  
Bureau of Reclamation  
BCOO-4800  
P.O. Box 61470  
Boulder City, NV 89006-1470

Michele A. Blanco, PE  
Calpine Power Company  
4160 Dublin Blvd  
Dublin, CA 94568-3139

Mr. Larry R. Dozier  
Central Arizona Water Conservation District  
P.O. Box 43020  
Phoenix, AZ 85080-3020

Mr. Gary Ijams  
Central Arizona Water Conservation District  
P.O. Box 43020  
23636 North Street  
Phoenix, AZ 85080-3020

Ms. Patricia Fulks  
Chandler Heights Citrus Irrigation District  
P.O. Box 9038  
Chandler Heights, AZ 85227-9038

Mr. Ernesto V. Ojeda  
Citizens Communication Company  
P.O. Box 280  
Nogales, AZ 85628-0280

Mr. Thomas J. Ferry  
Citizens Communications Co.  
2498 Airway Avenue  
Kingman, AZ 86401

Mr. Frank McRae  
City of Mesa  
Utilities Department  
P O Box 1466  
Mesa, AZ 85211-1466

Mr. Dave C. Plumb  
City of Mesa  
Electric Utilities  
P.O. Box 1466  
Mesa, AZ 85211-1466

Mr. Kenneth Mechem  
City of Safford  
Gila Resources  
405 Discovery Park Boulevard  
Safford, AZ 85546-4203

Mr. Allen J. Anspach  
Colorado River Agency  
Bureau of Indian Affairs  
Route 1 Box 9C  
Agency Road, Building 3  
Parker, AZ 85344

Mr. George M. Caan  
Colorado River Commission of Nevada  
555 East Washington Ave., Suite 3100  
Las Vegas, NV 89101-1065

Mr. Gerald A. Lopez  
Colorado River Commission of Nevada  
555 East Washington Avenue, STE 3100  
Suite 3100  
Las Vegas, NV 89101-1048

Mr. Thomas S. Martin  
Electrical District No. 2, Pinal County  
P.O. Box 548  
Coolidge, AZ 85228

APR 7 2005

Mr. Duncan Brown  
Commercial Director  
Calpine Corporation  
4160 Dublin Boulevard, Suite 150  
Dublin, CA 94568-3139

Dear Mr. Brown:

The Calpine Corporation (Calpine) and the Western Area Power Administration (Western) are parties to Contract 99-SNR-00210, under which Calpine receives transmission service from Western subject to the terms and conditions of Western's Open Access Transmission Service Tariff (OATT). Western has recently completed a public process to update certain provisions of its OATT due to changes required by the Federal Energy Regulatory Commission (Commission). Enclosed is a copy of Western's OATT filed with the Commission. This revised OATT is now applicable to Contract 99-SNR-00210 with Western.

The OATT contains a number of modifications, including the addition of Attachment L, which is the standardized Large Generator Interconnection Procedures (LGIP) and Large Generator Interconnection Agreement. It introduces a number of changes to the current procedures. For example, Customers will be required to submit deposits with generator interconnection requests under Section 3.3 of the LGIP. In addition, a number of other modifications were made to Western's OATT, including increasing the transmission service request application processing fee to \$3,500 across all Western Regions to reflect current costs and also restoring the deposit requirements in Sections 17.3 and 29.2 of the OATT for requests of 1-year duration or greater.

For information on all modifications made to the OATT, please visit Western's website at <http://www.wapa.gov/transmission/oatt.htm>. You may also contact Arun Sethi at (916) 353-4452 or [asethi@wapa.gov](mailto:asethi@wapa.gov) with questions regarding the OATT modifications.

Sincerely,

**ORIGINAL SIGNED BY**

Darren Buck  
Power Operations Manager

Enclosure

bcc:  
N4412, N4413